UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE COLUMBIA DIVISION

JOHN DOE, Plaintiff,)))
v.) No. 1:18-cv-00084
DAVID BYRD, et al., Defendants.	Judge Eli Richardson Magistrate Judge Jeffery Frensley
)

<u>DEFENDANT DAVID BYRD'S MOTION TO DISMISS AMENDED COMPLAINT FOR</u> <u>LACK OF SUBJECT MATTER JURISDICTION UNDER FED. R. CIV. P. 12(b)(1)</u>

Defendant David Byrd requests that the Court dismiss the amended complaint in this matter because Plaintiff John Doe fails to adequately plead a judicially cognizable injury-in-fact, thus, this matter should be dismissed for lack of subject matter jurisdiction.

DATED this 21st day of March, 2019.

Respectfully submitted,

/s/Clay Lee

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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing was electronically filed on the 21st day of March, 2019. Notice of this filing will be sent by operation of electronic mail to the following:

Benjamin A. Gastel Branstetter, Stranch & Jennings, PLLC The Freedom Center 223 Rosa L. Parks Avenue Nashville, TN 37203

> <u>/s/Clay Lee</u> Clay Lee